

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 2856 (203-3411)
INTERNATIONAL APPLICATION NO. PCT/EP2003/08067		INTERNATIONAL FILING DATE 23 July 2003
TITLE OF INVENTION IVS OBTURATOR INSTRUMENT AND PROCEDURE		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) To Be Assigned 107522430
APPLICANT(S) FOR DO/EO/US Peter Petros, et al		PRIORITY DATE CLAIMED 23 July 2002

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☒ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information.

Return Postcard, Cert Express Mail EJ853409607US, Intern. Search Report 11/17/2003 (6 pgs), w/Foreign Ref. Fee Transmittal, PCT Request 7/23/2003 (6 pgs), Pct Pub. (cover pg ONLY), PCT Written Opinion 4/08/2004, PCT Amendment 07/08/2004 (24 pgs), PCT Prelim Exam Report 10/04/2004 (17 pgs)

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
Assigned: 10/522450		PCT/EP2003/008067		2856 (203-3411)	
The following fees are submitted:				Applicant's Use Office Use Only	
Basic national fee.....		10/522450		\$ 300.00	
Examination fee.....				\$ 200.00	
Search fee.....				\$ 500.00	
				\$ 1,000.00	
TOTAL OF ABOVE CALCULATIONS =				\$1000.00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	0.00	/50 =	x \$250.00	\$ 0.00	
Late fee of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest priority date (37 CFR 1.492(e)).				\$	
Claims	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Independent claims	24 - 20 =	4.00	x \$50.00	\$ 200.00	
Dependent claims	1 - 3 =	0.00	x \$200.00	\$ 0.00	
Late dependent claim(s) (if applicable)			+ \$360.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 200.00	
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced 1/2.				\$	
SUBTOTAL =				\$ 1,200.00	
Late fee of \$130.00 for furnishing the English translation later than 30 months from the earliest priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 1,200.00	
According to the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 1,240.00	
Amount to be refunded:				\$	
Amount to be charged				\$ 1,240.00	
A check in the amount of \$ _____ to cover the above fees is enclosed.					
Please charge my Deposit Account No. 21-0550 in the amount of \$ 1,240.00 to cover the above fees. A duplicate copy of this sheet is enclosed.					
The Commissioner is hereby authorized to charge any additional fees to my Deposit Account No. 21-0550. A duplicate copy of this sheet is enclosed.					
Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to restore the International Application to pending status.					
ALL CORRESPONDENCE TO:					
States Surgical, a division of Healthcare Group, LP 1000 Avenue New Haven, CT 06856					
SIGNATURE				Lisa J. Moyses	
NAME				NAME	
Reg. No. 40,737				REGISTRATION NUMBER	

DT01 Rec'd PCT/PTO 20 JAN 2005

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,240.00
Complete if known **10/522450**

Application Number	To be Assigned
Filing Date	Concurrently Herewith
First Named Inventor	Peter Petros, et al
Examiner Name	To Be Assigned
Art Unit	To Be Assigned
Attorney Docket No.	2856 (203-3411)

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

 Deposit Account Number: **21-0550**
 Deposit Account Name: **United States Surgical**

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 1,000.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
24	-20** = 4	50.00	200.00
1	-3** = 0	86.00	0.00
			290.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$) 200.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	\$40.00
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 40.00**SUBMITTED BY**

(Complete (if applicable))

Name (Print/Type)	Lisa J. Moyles	Registration No. (Attorney/Agent)	40,737	Telephone	(203) 845-1941
Signature		Date	1/20/05		

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EJ853409607US addressed to: Mail Stop NEW APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated:

1/20/05

 Susan S. Rickard

DT01 Rec'd PCT/PTO 20 JAN 2005

Attorney Docket: 2856
(203-3411)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Peter Petros, et al.
Serial No.: To Be Assigned Art Unit: To Be Assigned
Filed: Concurrently Herewith Examiner: To Be Assigned
For: **IVS OBTURATOR INSTRUMENT AND PROCEDURE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop Patent Application

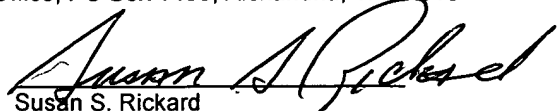
CERTIFICATE OF EXPRESS MAILING

"Express Mail" Mailing Label No.: EJ853409607US

Date of Deposit: January 20, 2005
I hereby certify that the following:

- ☒ This Certificate of Mailing
- ☒ Application Transmittal Letter (2 pages)
- ☒ Fee Transmittal for FY 2004 (1 page)
- ☒ Application (25 pages including specification, claims and abstract) as filed
- ☒ 19 sheets of drawings (formal)
- ☒ Recordation Cover Sheet
- ☒ Assignment (3 pgs)
- ☒ Combined Declaration & Power of Attorney (6 pgs)
- ☒ Copy of PCT Request (6 pgs)
- ☒ Preliminary Amendment (3 pgs)
- ☒ Information Disclosure Statement (2 pages)
- ☒ 1449 (2 pages) + International Search Report (6 pgs) w/2 Foreign Cited References
- ☒ International Published Application (Cover page only)
- ☒ PCT Written Opinion (4 pgs)
- ☒ Response to Written Opinion (PCT Amendment) (24 pages)
- ☒ International Preliminary Examination Report (17 pages)
- ☒ Return Postcard

are being deposited with the United States Postal Services under 37 CFR Section 1/10 on the Date of Deposit indicated above in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EJ853409607US addressed to the U.S. Patent & Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, Mail Stop PATENT APPLICATION.


Susan S. Rickard

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